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# 17 Reasons to hate Wayne Schmidts Red Light Cameras

On May 22, Representative Wayne Schmidt introduced HB 4763, a bill to legalize red light cameras. Below are 17 reasons to hate this bill.

## 1. Burden on the innocent: *Misidentification*

According to the Insurance Institute for Highway Safety, the registered owner is the driver only 72% of the time. Without consideration for any other shortcomings, over 1 in 4 tickets are issued to the wrong person!

## 2. Burden on the Innocent: *Equipment Malfunctions*

Sensitive photo enforcement electronics are often left unattended and vulnerable in harsh and extreme weather conditions 24/7. No one knows if all of the components of a photo system are working properly at any given moment, or if equipment has started to malfunction intermittently. Equipment vendors refuse to publish their equipment reliability and error rates!

## 3. Even when you win, you lose!

Every time a driver receives a citation from a traffic camera, they are faced with the decision to take time off work to fight the ticket, or to just pay the fine. So either way, the driver loses.

## 4. Leaves Motorists Defenseless

Motorists who receive photo tickets are at a severe disadvantage to make a defense due to the weeks or months that may lapse before a driver is served with a citation. Weeks or months after a "violation," a driver is unlikely to be able to recall the details of the "violation." Furthermore, drivers are unable to collect evidence to defend

themselves because it is unlikely that signs and road conditions are the same as they were when the alleged violation occurred.

### **5. Less Safe**

Multiple studies show an INCREASE of accidents with red light and speed cameras.

Driving conditions on roads and freeways are made more dangerous by interrupting the free flow of traffic as people respond to the presence of cameras. The same goes at red light camera intersections where drivers slam on their brakes to avoid tickets.

### **6. Lack of Audit and Oversight**

There is no stated maintenance or audit program by any government authority of the private camera vendors and their equipment and processes to ensure reliability and accuracy.

### **7. Uses our money to feed out of state Corporations**

The two camera vendors that operate in Washington, Redflex (from Australia) and American Traffic Solutions (from Arizona), receive an average of 50% of the money that is generated by the cameras.

### **8. Solutions to problems that don't exist**

According to the Tacoma News Tribune, there "hasn't been a serious pedestrian-vehicle accident in a school zone in Lakewood's 13-year history." Yet, Lakewood has speed cameras in school zones to keep children safe? Sounds like the kids were already safe.

### **9. Conflict of Interest**

- \* Traffic cameras provide lawmakers with a personal financial incentive to protect controversial traffic camera programs.

- \* Camera vendors provide court administration modules for judges, attorneys, and witnesses that present and assess common dispute tactics and appropriate sound counter- measures required for successful prosecution.

- \* Camera vendors develop the violation criteria that the cities use to determine what constitutes a violation.

### **10. Denial of Due Process**

The Sixth Amendment's Confrontation Clause gives the accused the right to be confronted by witnesses against them. With cameras, the driver is never confronted by a police officer ticketing him. The accused are not being provided with the opportunity to cross-examine or subpoena all camera equipment operators along with anyone who handled the evidence or the officer who issued the citation. Nor are they being provided with the opportunity to examine the design and operation of the equipment itself.

### **11. Photo Enforcement Vendors Are Not Trustworthy**

\* Arizona Secretary of State, Jan Brewer, confirmed that Redflex documents used in court to convict motorists of speeding in Lafayette, Louisiana had been falsified.

\* Many cities have all been **caught shortening yellow lights to increase profits** from red light cameras.

\* In Italy, a speed camera company was caught in a fraud scandal that involved 109 officials and contractors.

\* In January 2009, the makers of the T-Red brand of red light cameras were similarly arrested for fraud after prosecutors found motorists were being trapped at intersections with short yellows and improperly certified equipment

\* Redflex violated federal law by using radar units that were not FCC certified.

\* Redflex employees have been charged with assault, child pornography, and extreme DUI (**while driving a photo radar van**). They can observe your car, wife, and children and they can figure out where you live. They have access to your DMV records.

### **12. Invasion of Privacy**

The cameras are high-resolution video devices that run 24 hours a day. According to officer King with Arizona DPS, "We can just about zoom in and see stuff on the dash."

### **13. Affects Consumer Spending and Tourism**

Nationwide, cities have responded to threats from locals and out of towners who have vowed to stop shopping in areas with photo enforcement by removing equipment.

#### **14. Criminal Activity Has Become a Civil Matter, Not a Crime**

Local governments have skirted constitutional protections by classifying speed camera tickets as civil, not criminal violations. Efforts to challenge the tickets based on constitutional grounds that appear to have a chance at succeeding are simply dismissed in favor of the driver, swept under the rug by local governments before they can be fully adjudicated.

#### **15. Lucrative Photo Enforcement Favored Over Engineering**

Cities rarely conduct engineering studies to determine why a particular intersection experiences more accidents. Officials incorrectly assume that bad drivers flock to these intersections and that their behavior can be cured with the threat of tickets received weeks after the infraction. In reality, the same drivers are present in all intersections, and if a particular intersection has a high accident rate the reason is undoubtedly due to flaws or problems that can be corrected with proper traffic engineering. Such measures may include: adding signs, making signs clearer, more visible signs, changing road striping and indicators, adjusting light timing, and increasing signals more visibility. Until an engineering study is done, it is impossible to understand the underlying factors and thus impossible to objectively evaluate possible solutions.

#### **16. Doesn't remove any immediate threat to citizens like drunks, reckless drivers, or speeders.**

#### **17. Creates distrust and animosity for local officials, law enforcement departments, and makes a mockery of our judicial system.**

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### Upcoming Events

THAT'S ALL FOR THIS MONTH  
 Michigan Campaign for Liberty is hosting a free evening  
 event on Thursday, June 13, 7:00 PM - 9:00 PM, featuring C4L Chairman Ron  
 Paul and Senator Rand Paul, discuss the liberty message and the constitutional hot-button issues  
 facing our nation.